

Amendment No. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 325*

House Bill No. 326

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 67-6-504, is amended by adding the following language as a new subsection:

(m) When reporting the local sales and use tax levied under part 7 of this chapter, out of state dealers shall provide sufficient information as prescribed by the commissioner to indicate the incorporated municipality or unincorporated area of a county into which the sale is shipped or delivered, even if the local tax rates of the municipality and unincorporated area of the county are the same.

SECTION 2. Tennessee Code Annotated, Section 67-6-702, is amended by deleting subsection (f) in its entirety.

SECTION 3. Tennessee Code Annotated, Section 67-6-710, is amended by deleting subsection (e) in its entirety.

SECTION 4. Tennessee Code Annotated, Section 67-6-712(a), is amended by adding the following language as a new subdivision (3) and designating the current subdivision (3) as subdivision (4):

(3) Any out-of-state dealer making sales to a customer within this state shall report to the department information as prescribed by the commissioner, and as required under § 67-6-504(m), that is sufficient for the commissioner to appropriately distribute revenue pursuant to subdivisions (a)(1) and (a)(2).

SECTION 5. Tennessee Code Annotated, Section 67-6-712, is amended by adding the following language as a new subsection:



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(e) If any dealer fails to provide the department with the information required under § 67-6-504(m) and the department is unable to determine the proper distribution of local sales tax under subsection (a), the department shall distribute the local sales tax as follows:

(1) For taxes received by the department before July 1, 2021:

(A) The tax shall be distributed to the counties based on the ratio of local tax collections in the county under this section over total local tax collections in all counties under this section;

(B) The amount received by the county under subdivision (e)(1)(A) shall be distributed first as provided for in subdivision (a)(1). The remainder shall be distributed to each incorporated municipality in the county based on the ratio of local tax collections in the municipality to total local tax collections in the county and shall be distributed to the county based on the ratio of local tax collections in the unincorporated portions of the county to total local tax collections in the county;

(2) For taxes received by the department on or after July 1, 2021:

(A) The tax shall be distributed to the counties based on the ratio of local tax collections in the county from dealers with no location in this state that can be identified by situs over the total local tax collections in all counties from dealers with no location in this state that can be identified by situs;

(B) The amount received by the county under subdivision (e)(2)(A) shall be distributed first as provided for in subdivision (a)(1). The remainder shall be distributed to each incorporated municipality in the county based on the ratio of local tax collections in the municipality from dealers with no location in this state that can be identified by situs over the total local tax collections in the county from dealers with no location in this state that can be identified by situs and shall be distributed

to the county based on the ratio of local tax collections in the unincorporated portions of the county from dealers with no location in this state that can be identified by situs over the total local tax collections in the county from dealers with no location in this state that can be identified by situs;

(3) A county and a municipality may, by contract, provide for an alternative distribution for the amount not distributed under subdivision (a)(1).

SECTION 6. Section 169 of Chapter 602 of the Public Acts of 2007, is amended in the amendatory § 67-6-712 by deleting subsection (e) in the section and substituting instead the following:

(e) When local sales tax received by the department from a dealer with no location in this state cannot be identified to a particular situs, the revenues shall be distributed to the counties based on the ratio of local tax collections in the county from dealers with no location in this state that can be identified by situs over the total local tax collections in all counties from dealers with no location in this state that can be identified by situs. The amount received by the county under this subsection shall be distributed first as provided for in subdivision (a)(1). The remainder shall be distributed to each municipality in the county based on the ratio of local tax collections in the municipality from dealers with no location in this state that can be identified by situs over the total local tax collections in the county from dealers with no location in this state that can be identified by situs and shall be distributed to the county based on the ratio of local tax collections in the unincorporated portions of the county from dealers with no location in this state that can be identified by situs over the total local tax collections in the county from dealers with no location in this state that can be identified by situs.

SECTION 7. Section 174 of Chapter 602 of the Public Acts of 2007, is amended in the amendatory § 67-6-902 by adding the following subdivision (6) to subsection (a):

(6) Notwithstanding subdivisions (a)(1)-(5), when the product is sold from a location in this state and the purchaser instructs the seller to ship or deliver the product to another location within this state, the sale shall be sourced to the seller's location.

SECTION 8. This act shall take effect October 1, 2019, the public welfare requiring it.

Amendment No. _____

Signature of Sponsor

AMEND Senate Bill No. 604

House Bill No. 664*

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by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-6-3402, is amended by deleting the section and substituting instead the following:

(a) Local boards of education may establish alternative schools for students in grades one through six (1-6) who have been suspended or expelled from the regular school program. At least one (1) alternative school or alternative program shall be established and available for students in grades seven through twelve (7-12) who have been suspended or expelled as provided in this part. In providing alternative schools, any two (2) or more boards may join together and establish a school attended by students of any such school system; furthermore, any board may, by mutually acceptable agreement with another board, send its suspended or expelled students to any alternative school already in operation.

(b) Alternative schools and alternative programs shall be operated pursuant to rules of the state board of education pertaining to them, and instruction shall proceed as nearly as practicable in accordance with the instructional programs at the student's home school. All course work completed and credits earned in alternative schools or alternative programs shall be transferred to and recorded in the student's home school, which shall grant credit earned and progress thereon as if earned in the home school.

(c) Students in grades seven through twelve (7-12) who have been suspended or expelled from the regular school program must be assigned to an alternative school or alternative program if there is space and staff available. Attendance in an alternative school shall be voluntary for students in grades one through six (1-6) who have been



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suspended or expelled from the regular school program unless the local board of education adopts a policy mandating attendance in either instance. The student shall be subject to all rules pertaining thereto. A violation of the rules by a student may result in the student's removal from this school for the duration of the original suspension or expulsion, but shall not constitute grounds for any extension of the original suspension or expulsion. The final decision on removal shall be made by the chief administrator of the alternative school.

(d) Any student attending an alternative school shall continue to earn state education funds in the student's home school system and shall be counted for all school purposes by that system as if still in attendance there.

(e) A pupil who has been properly found to be eligible for special education and related services shall be placed and served in accordance with the laws and rules relating to special education.

(f)

(1) The state board of education, in its rules and regulations for the operation of alternative schools, shall require documentation of the reasons for a student attending an alternative school and provide safeguards to assure that no child with disabilities or other special student is arbitrarily placed in an alternative school. The state board of education, in its rules and regulations, shall require that all alternative school classrooms have working two-way communication systems making it possible for teachers or other employees to notify a principal, supervisor or other administrator that there is an emergency. Teachers and other employees shall be notified of emergency procedures prior to the beginning of classes for any school year.

(2) The state board of education shall provide a curriculum for alternative schools to ensure students receive specialized attention needed to maximize student success. Alternative schools shall offer alternative learning environments in which students are offered a variety of educational opportunities,

such as learning at different rates of time or utilizing different, but successful, learning strategies, techniques and tools.

(g) Notwithstanding this section or other law to the contrary, local boards of education may establish evening alternative schools for students in grades six through twelve (6-12).

(h)

(1) LEAs establishing alternative schools or contracting for the operation of alternative schools shall develop and implement formal transition plans for the integration of students from regular schools to alternative schools and from alternative schools to regular schools. The plans shall be targeted to improve communication between regular and alternative school staff, provide professional development opportunities shared by regular school staff and alternative school staff, align curricula between regular schools and alternative schools, develop quality in-take procedures for students returning to regular school and provide student follow-up upon return to regular school.

(2) The state board of education shall adopt policies or guidelines to assist LEAs in developing transition plans.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring

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AMEND Senate Bill No. 498*

House Bill No. 1327

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 57-4-102(30)(C), is amended by deleting the subdivision and substituting instead the following:

(C) In counties with a population of more than three hundred nineteen thousand six hundred twenty-five (319,625), according to the 1980 census, but excluding those counties having a metropolitan form of government:

(i) Within a national historic landmark district or urban park center, as defined by this section, or within an easement area granted to a municipality for commercial recreation and commercial recreation facilities from the Tennessee Valley authority in the Fort Loudoun Reservoir:

(a) Restaurant licensees shall not be required to meet any requirements of this section which make food service, maintenance of a kitchen, or a dining room a prerequisite to the issuance of a restaurant permit to serve liquor by the drink; and

(b) Notwithstanding any law to the contrary, restaurant licensees may enter into leases with municipal landowners in which gross sales, which may include or exclude liquor sales, are considered in the determination of a percentage rent or other rent calculation provision; and

(ii) Within a sports authority facility, as defined in this section, restaurant licensees shall not be required to meet any of the requirements of subdivision (30)(A) which make food service, maintenance of a kitchen, or a dining room a prerequisite for the issuance of a permit to serve liquor by the drink;



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SECTION 2. Tennessee Code Annotated, Section 57-4-102(28)(A), is amended by deleting subdivisions (iii) and (iv) and substituting instead the following:

(iii) Such national historic landmark centers around a historic public street or right-of-way;

(iv) Such a public street or right-of-way is closed to motor vehicular traffic, whether permanently or on a regular basis; and

(v) But only to the extent that such premises are located and fronting upon such historic street and not located on or fronting upon another street or right-of-way within such national historic landmark;

SECTION 3. Tennessee Code Annotated, Section 57-5-103, is amended by adding the following new subsection:

(f) Notwithstanding any law to the contrary, no city or county shall deny the issuance or renewal of a permit upon the basis that the lease between the business and its municipal landlord includes a provision whereby gross sales, which may include or exclude liquor sales, are considered in the determination of a percentage rent or other rent calculation provision.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

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AMEND Senate Bill No. 28*

House Bill No. 37

by deleting 71-2-117(c)(1)(J) and (K) in SECTION 2 and substituting instead the following:

(J) A representative of the Tennessee Health Care Association, to be appointed by the executive director;

(K) A representative of LeadingAge Tennessee, to be appointed by the executive director; and

(L) Any other person possessing relevant experience with Alzheimer's disease and related dementia care, to be appointed by the executive director.



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AMEND Senate Bill No. 648

House Bill No. 690*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 67-6-103, is amended by adding the following as a new subsection:

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(1) Notwithstanding the allocations provided for in subsection (a), if a new event center is to be constructed for use, in part, by a state university with an independent board of trustees in a county in which there is a population in excess of one hundred fifty thousand (150,000) in accordance with the 2010 federal census or the most recent subsequent census, and in which there is located, in whole or in part, a military base with enlisted active duty personnel in excess of twenty thousand (20,000) as of December 31, 2018, then an amount shall be apportioned and distributed to a public entity designated by the county that is responsible for the retirement of all or a portion of the original debt on such event center equal to the amount of any incremental state and local sales and use tax revenue, including any portion of local sales taxes that otherwise would be allocated for school purposes, from the sale of food and drink and other authorized goods or products sold on the premises of the event center, ticket sales, parking charges, and related services on the premises of the event center. Any such incremental tax revenues shall be applied to the original debt service related to the event center, and shall not be applied to any debt issued for the purposes of refinancing the original debt. This apportionment and distribution



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shall continue until the date on which the original debt relating to the event center is retired, or until the expiration of thirty (30) years, whichever is sooner. For purposes of this subdivision () (1), an event center shall include the facility in which events are held and shall also include any and all ancillary facilities such as parking facilities adjacent to the facility in which events are held.

(2) Notwithstanding subdivision () (1) to the contrary, no portion of the revenue derived from the increase in the rate of sales and use tax allocated to educational purposes pursuant to chapter 529, § 9 of the Public Acts of 1992, and no portion of the revenue derived from the increase in the rate of sales and use tax from six percent (6%) to seven percent (7%) contained in chapter 856, § 4 of the Public Acts of 2002 shall be apportioned and distributed pursuant to subdivision () (1). The revenue shall continue to be allocated as provided in chapter 529 of the Public Acts of 1992 and chapter 856 of the Public Acts of 2002, respectively.

SECTION 2. This act shall take effect upon becoming law, the public welfare requiring

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AMEND Senate Bill No. 1137

House Bill No. 779*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 67-6-102(8)(B), is amended by deleting the fourth sentence and substituting instead the following:

For charitable entities whose primary purpose is fundraising in support of a city, county, or metropolitan library system, "business" does not include sales, including online sales, that the charitable entity elects to make in lieu of two (2) semiannual temporary sales periods; provided, that the sales do not exceed three hundred thousand dollars (\$300,000) per calendar year; and provided further, that the election by the charitable entity must remain in effect for no less than four (4) years.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.



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AMEND Senate Bill No. 705*

House Bill No. 1264

by deleting subsection (e) in SECTION 5 and substituting instead the following:

(e) A person issued a concealed handgun carry permit under this section shall carry the permit at all times when carrying a handgun pursuant to this section and shall display the permit on demand of a law enforcement officer.

AND FURTHER AMEND by adding the following as a new subsection (m) in SECTION 5 and redesignating the current subsection (m) appropriately:

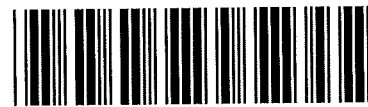
(m) Any law enforcement officer of this state or of any county or municipality may, within the officer's lawful jurisdiction and when the officer is acting in the lawful discharge of the officer's official duties, disarm a permit holder at any time when the officer reasonably believes it is necessary for the protection of the permit holder, officer, or another individual. The officer shall return the handgun to the permit holder before discharging the permit holder from the scene when the officer has determined that the permit holder is not a threat to the officer, the permit holder, or another individual; provided, that the permit holder has not violated this section or committed any other violation that results in the arrest of the permit holder.

AND FURTHER AMEND by deleting subdivisions (b)(4)(B) and (b)(5) in SECTION 5 and substituting instead the following:

(B) Proof of competence under this subdivision (b)(4) is evidenced by a photocopy of a certificate of completion of any of the courses or classes described in subdivision (b)(4)(A); an affidavit from the instructor, school, club, organization, or group that conducted or taught such course or class attesting to



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the completion of the course or class by the applicant; or a copy of any document that shows completion of the course or class or required experience;

(5) Pay an application and processing fee of sixty-five dollars (\$65.00) to the department; and

(6) Provide a signed printed copy of the form provided by the department, pursuant to subdivision (k)(4), stating that the applicant has read and understands the current state law on carrying handguns.

AND FURTHER AMEND by deleting subdivisions (k)(2) and (k)(3) in SECTION 5 and substituting instead the following:

(2) An explanation of the different handgun carry permits available;

(3) A list of various providers that conduct department-approved training courses or classes, pursuant to subdivision (b)(4)(A); and

(4) A printable form to be signed by the applicant pursuant to subdivision (b)(6).

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AMEND Senate Bill No. 1499

House Bill No. 1274*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 8-6-109(b), is amended by adding the following language as a new subdivision:

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(A)

(i) To defend a local education agency (LEA) or an LEA's employees, in an employee's individual or official capacity, upon the LEA's or employee's formal request in writing, in any court or administrative tribunal arising out of an LEA's adoption of a policy designed to protect the privacy of students from exposure to others of the opposite biological sex in situations where students may be in various stages of undress by designating multi-person locker rooms, restrooms, or other facilities for use based only on one's biological sex. Such policy may make other appropriate accommodations for those who do not wish to use those facilities designated on the basis of biological sex;

(ii) In the event that the attorney general and reporter determines that the best interest of the state, or that of the LEA or employee, requires private counsel, the attorney general and reporter must notify the LEA or employee and the LEA or employee has the right to file for, and receive reimbursement of, defense costs in accordance with chapter 42 of this title in the same manner as state employees. The reimbursement is



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limited to an amount deemed reasonable by the attorney general and reporter for the defense of similar actions by counsel of like experience and ability;

(iii) The duty to defend an LEA or LEA's employees or the right to file for and receive reimbursement of defense costs pursuant to this subdivision (b)() does not apply to:

(a) Willful, malicious, or criminal acts or omissions;

(b) Acts or omissions done for personal gain; or

(c) An LEA policy that in the opinion of the attorney general and reporter is not constitutional upon consideration of definitive court decisions on the constitutionality of similar policies; and

(iv) As used in this subdivision (b)(), "employee" or "employees" means an LEA's present or past director of schools, board members, teachers, or nonprofessional staff members; and

(B) Within existing resources, to advise the state board of education if the state board of education requests advice regarding the development of a model policy for use by an LEA that chooses to implement a policy on the use of multi-person locker rooms, restrooms, or other similar facilities for use based on one's biological sex.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring

it.

Amendment No. _____

Signature of Sponsor

FILED

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Comm. Amdt. _____

AMEND Senate Bill No. 1403

House Bill No. 867*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 37-5-124(a), is amended by adding the following language to the end of the subsection:

The district attorney for the judicial district in which the child was located must also receive a copy of the report provided to the legislators and may communicate with the legislators representing the child about the report and its contents or about any other otherwise confidential information that the legislators may have acquired pursuant to § 37-5-107(d).

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.



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